

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-03 NSC-05 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 NSAE-00

PA-01 PRS-01 SP-02 SS-15 OIC-02 AID-05 /057 R

DRAFTED BY USOAS:TETAYLOR:JD

APPROVED BY USOAS:FMCNEIL

ARA/CEN:LKILDAY (SUBS)

L/ARA:DGANTZ

NSC:SLOW

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FM SECSTATE WASHDC

TO AMEMBASSY SAN SALVADOR IMMEDIATE

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY SAN JOSE

AMEMBASSY TEGUCIGALPA

C O N F I D E N T I A L STATE 140136

E.O. 11652: GDS

TAGS: PFOR, OAS, OCON, CS, ES

SUBJECT: SAN JOSE CONFERENCE - LEGAL ASPECTS OF ACTING

REF: SAN SALVADOR 2331

UNDER THE RIO TREATY ALL ACTIONS ARE TAKEN BY AN QTE ORGAN
OF CONSULTATION UNQTE (O/C). THIS BODY IS COMPOSED OF
THE FOREIGN MINISTERS OR THEIR DESIGNATES. ALL DECISIONS
OF THE O/C ARE TAKEN BY A TWO-THIRDS VOTE, AND WILL BE
TAKEN IN THIS FASHION UNTIL A PROTOCOL OF AMENDMENT TO
THE RIO TREATY ACTUALLY COMES INTO EFFECT. IN ADDITION,
THE RESOLUTION OF THE NINTH MEETING OF FOREIGN MINISTERS,
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WHICH IMPOSED THE CUBA SANCTIONS, PROVIDED THAT THE PER-

MANENT COUNCIL, IN ITS OWN RIGHT, COULD LIFT THE SANCTIONS BY TWO-THIRDS VOTE QTE AT SUCH TIME AS THE GOVERNMENT OF CUBA SHALL HAVE CEASED TO CONSTITUTE A DANGER TO THE PEACE AND SECURITY OF THE HEMISPHERE UNQTE. THUS, THERE WILL BE TWO ALTERNATIVES TO CHOOSE FROM IF THERE IS A MOVE TO DO SOMETHING ABOUT THE SANCTIONS IN SAN JOSE, AS WE EXPECT: 1) CONVOKE AN O/C TO DEAL WITH THE ISSUE IN ANY WAY TWO-THIRDS OF THE DELEGATES THINK BEST, OR 2) CONVOKE A SPECIAL MEETING OF THE PERMANENT COUNCIL TO DEAL WITH THE QUESTION UNDER THE (RELATIVELY NARROW) TERMS OF THE 1964 RESOLUTION. IN EITHER CASE, A MEETING OF THE COUNCIL WOULD HAVE TO BE HELD, SINCE THE O/C CAN ONLY BE CONVOKED BY THE COUNCIL. THE COUNCIL CAN MEET IN SAN JOSE IF NECESSARY. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, REGIONAL ORGANIZATIONS, RESOLUTIONS, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE140136
Document Source: CORE
Document Unique ID: 00
Drafter: TETAYLOR:JD
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750209-0413
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750646/aaaabpvj.tel
Line Count: 75
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 SAN SALVADOR 2331
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 05 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 SEP 2003 by ShawDG>; APPROVED <17 NOV 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SAN JOSE CONFERENCE - LEGAL ASPECTS OF ACTING
TAGS: PFOR, OCON, CS, ES, OAS
To: SAN SALVADOR
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006